

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 23-21309-CV-WILLIAMS

BEVERLY PERRI,

Plaintiff,

v.

ROYAL CARIBBEAN CRUISES, LTD.,

Defendant.

ORDER

THIS MATTER is before the Court on Magistrate Judge Lisette M. Reid’s Report and Recommendation (DE 62) (“**Report**”) on Defendant Royal Caribbean Cruises, Ltd.’s (“**Defendant**”) Motion for Summary Judgment (DE 34) (“**Motion**”).¹ In the Report, Judge Reid recommends that the Court deny Defendant’s Motion. (DE 62 at 1.) Specifically, Judge Reid finds that “unclear testimony together with the CCTV footage showing the crewmember placing his hands on the handlebars create a question of fact for the jury to decide.” (*Id.* At 9.) Defendant filed Objections to the Report (DE 67) (“**Objections**”), to which Plaintiff filed a Response (DE 69). Specifically, Defendant objects to Judge Reid’s factual findings that the CCTV footage and the crewmember’s deposition were unclear and Judge Reid’s conclusion that genuine issues of fact as to causation remain. (DE 67 at 1–2.)

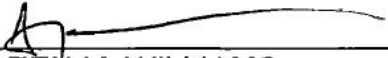
¹ On November 20, 2023, the Court referred Defendant’s Motion to Judge Reid for a report and recommendation. (DE 38.)

The Court conducted a *de novo* review of the portions of the Report to which Defendant objected and a review of the Report for clear error. The Court finds that, despite Defendant's assertions, the CCTV footage does not decisively establish that the crewmember did not cause the scooter to move. Similarly, the Court finds that the crewmember's deposition contains unclear statements that create a question of fact for the jury to decide.

Having carefully reviewed the Report, Objections, record, and applicable law, the Court agrees with Judge Reid's well-reasoned analysis and conclusion that Defendant's Motion be denied. Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The Report (DE 62) is **AFFIRMED AND ADOPTED**.
2. Defendant's Motion (DE 34) is **DENIED**.

DONE AND ORDERED in Chambers in Miami, Florida, this 12th day of March, 2024.


KATHLEEN M. WILLIAMS
UNITED STATES DISTRICT JUDGE